

ONE HUNDRED AND TWENTY-SEVENTH MAINE
LEGISLATURE
FIRST REGULAR SESSION
29th Legislative Day
Tuesday, April 7, 2015

The House met according to adjournment and was called to order by the Speaker.

Prayer by Pastor Kirk Winters, The Rock Church, Bangor.

National Anthem by Gabi Ingersoll, Bangor.

Pledge of Allegiance.

Doctor of the day, Richard Swett, M.D., Dover-Foxcroft.

The Journal of April 2, 2015 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 109)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

April 7, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On April 3, 2015

Justice Donald H. Marden of Oakland for reappointment to Active Retired Status of the Maine Superior Court.

Pursuant to Title 4, MRSA §104, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Justice Joyce A. Wheeler of Portland for appointment to Active Retired Status of the Maine Superior Court.

Pursuant to Title 4, MRSA §104, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Justice William R. Anderson of Morrill for reappointment as a Justice to the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Justice Roland A. Cole of Wells for reappointment as a Justice to the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge Rae Ann French of Monmouth for reappointment as an Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA §157-B, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge Peter J. Goranites of Cumberland for appointment as an Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA §157-B, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge Andre G. Janelle of Biddeford for reappointment as a District Court Judge.

Pursuant to Title 4, MRSA §157, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge Jeffrey H. Moskowitz of Saco for reappointment as a District Court Judge.

Pursuant to Title 4, MRSA §157, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Judge Susan A. Sparaco of Farmingdale for reappointment as a District Court Judge.

Pursuant to Title 4, MRSA §157, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 110)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

April 7, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 463 An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program

L.D. 728 An Act To Limit the Amount of Money a Municipality May Spend on Education

Energy, Utilities and Technology

L.D. 825 An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants

L.D. 827 An Act To Amend the Fluoridation Laws To Provide for Customer Choice

Environment and Natural Resources

L.D. 40 An Act To Protect Maine's Great Ponds

L.D. 595 An Act To Reduce Carbon Emissions from Residential Heating

L.D. 596 An Act To Allow for the Purchase and Use of Specialty Racing Fuel in Maine

L.D. 884 An Act To Amend Laws Concerning Water Quality Standards

Labor, Commerce, Research and Economic Development

L.D. 403 An Act To Eliminate the Exception from Minimum Wage Laws for Workers Who Receive Tips

L.D. 612 An Act To Require a Large Employer To Provide a Paper Paystub upon Request from an Employee

L.D. 673 An Act To Help Prevent Age Discrimination

Transportation

L.D. 333 An Act To Help Veterans To Receive Benefits

- L.D. 543 An Act To Amend the Laws Governing the Use of Flashing Lights by School Buses
- L.D. 544 An Act To Assist Maine Veterans and Service Members
- L.D. 545 An Act To Require That Traffic Lights Default to Flashing Mode between the Hours of Midnight and 6 a.m.
- L.D. 591 An Act To Allow Municipal and Volunteer Firefighters To Operate Motor Vehicles as Authorized Emergency Vehicles

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell" (H.P. 847) (L.D. 1247)

Sponsored by Representative DUCHESNE of Hudson.
Cosponsored by Senator SAVIELLO of Franklin and Representatives: DUNPHY of Old Town, HICKMAN of Winthrop, LOCKMAN of Amherst, TURNER of Burlington, Senator: DILL of Penobscot.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Fund"

(H.P. 848) (L.D. 1248)

Sponsored by Representative McCABE of Skowhegan.
Cosponsored by Senator KATZ of Kennebec and Representatives: HICKMAN of Winthrop, MAREAN of Hollis, MARTIN of Eagle Lake, SAUCIER of Presque Isle, TIMBERLAKE of Turner, Senators: DILL of Penobscot, JOHNSON of Lincoln, McCORMICK of Kennebec.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Remove Barriers to School Construction Financing in Regional School Units"

(H.P. 840) (L.D. 1222)

Sponsored by Representative BABBIDGE of Kennebec.
Cosponsored by Senator COLLINS of York and Representatives: HIGGINS of Dover-Foxcroft, KUMIEGA of Deer Isle, MAKER of Calais, PARRY of Arundel, SEAVEY of Kennebunkport, STEARNS of Guilford, TURNER of Burlington, Senator: PATRICK of Oxford.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Bring Equity to the State Portion of the Education Funding Formula as It Applies to Regional School Unit No. 35"

(H.P. 849) (L.D. 1249)

Sponsored by Representative BEAVERS of South Berwick.
Cosponsored by Senator GERZOFKY of Cumberland and Representatives: DUNPHY of Embden, RYKERSON of Kittery, Senator: WOODSOME of York.

Bill "An Act To Reform Public Charter Schools"

(H.P. 850) (L.D. 1250)

Sponsored by Representative GIDEON of Freeport.
Cosponsored by Senator MILLETT of Cumberland and Representatives: DAUGHTRY of Brunswick, HUBBELL of Bar Harbor, TIPPING-SPITZ of Orono.

Bill "An Act To Safeguard Students' Personal and Private Information"

(H.P. 851) (L.D. 1251)

Sponsored by Representative SAWICKI of Auburn.
Cosponsored by Senator MIRAMANT of Knox and Representatives: ESPLING of New Gloucester, FARRIN of Norridgewock, GUERIN of Glenburn, SANDERSON of Chelsea, SIROCKI of Scarborough, Senator: GERZOFKY of Cumberland.

Bill "An Act To Protect Student Data"

(H.P. 852) (L.D. 1252)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Representative: GUERIN of Glenburn.

Bill "An Act To Improve the Evaluation of Public Schools"

(H.P. 853) (L.D. 1253)

Sponsored by Representative BATES of Westbrook.
Cosponsored by Representatives: DAUGHTRY of Brunswick, GIDEON of Freeport, HUBBELL of Bar Harbor, PIERCE of Falmouth, POULIOT of Augusta.

Bill "An Act To Expand and Improve State-approved School Construction Projects"

(H.P. 866) (L.D. 1266)

Sponsored by Representative STEARNS of Guilford.
Cosponsored by Senator LANGLEY of Hancock and Representatives: FOLEY of Wells, GILLWAY of Searsport, HUBBELL of Bar Harbor, MALABY of Hancock, TURNER of Burlington.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Revise the Charter of the Kennebunk Sewer District" (EMERGENCY)

(H.P. 841) (L.D. 1223)

Sponsored by Representative DUNPHY of Embden.
Cosponsored by Senator WOODSOME of York and Representatives: BEAVERS of South Berwick, DeCHANT of Bath, GROHMAN of Biddeford, HIGGINS of Dover-Foxcroft, O'CONNOR of Berwick, VEROW of Brewer.

Bill "An Act To Improve Rural Utility Service through the Use of Microgrids"

(H.P. 855) (L.D. 1255)

Sponsored by Representative CAMPBELL of Orrington.
Cosponsored by Senator DILL of Penobscot and Representatives: DUNPHY of Embden, HOBBS of Saco, Senators: DAVIS of Piscataquis, HASKELL of Cumberland.

Bill "An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders"

(H.P. 856) (L.D. 1256)

Sponsored by Representative BEAVERS of South Berwick.
Cosponsored by Senator SAVIELLO of Franklin, Senator WOODSOME of York and Representatives: BABBIDGE of Kennebunk, DeCHANT of Bath, HERRICK of Paris, HIGGINS of Dover-Foxcroft, O'CONNOR of Berwick, RYKERSON of Kittery, WARD of Dedham, Senator: DILL of Penobscot.

Resolve, To Make Home Heat Pumps Affordable (EMERGENCY)

(H.P. 857) (L.D. 1257)

Sponsored by Representative FREDETTE of Newport.

Bill "An Act To Create Jobs and Promote Investment in Maine's Economy through Increased Access to Solar Energy"

(H.P. 863) (L.D. 1263)

Sponsored by Representative GIDEON of Freeport.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: BLACK of Wilton, CAMPBELL of Orrington, DEVIN of Newcastle, GROHMAN of Biddeford, HUBBELL of Bar Harbor, MALABY of Hancock, PIERCE of Falmouth, POULIOT of Augusta.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Implement and Fund an Integrated Beach Management Program"

(H.P. 854) (L.D. 1254)

Sponsored by Representative FOLEY of Wells.

Cosponsored by Senator COLLINS of York and Representatives: BLUME of York, BUCKLAND of Farmington, HYMANSON of York, RYKERSON of Kittery, VACHON of Scarborough.

HEALTH AND HUMAN SERVICES

Bill "An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices"

(H.P. 858) (L.D. 1258)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator BRAKEY of Androscoggin and Representatives: MALABY of Hancock, O'CONNOR of Berwick, PARRY of Arundel, SIROCKI of Scarborough, WARREN of Hallowell.

Bill "An Act To Assist Working Families with Young Children"

(H.P. 867) (L.D. 1267)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator MILLETT of Cumberland and Representatives: Speaker EVES of North Berwick, FARNSWORTH of Portland, FREY of Bangor, GOODE of Bangor, HAMANN of South Portland, STUCKEY of Portland.

Bill "An Act To Reform Welfare by Establishing Bridges to Sustainable Employment"

(H.P. 868) (L.D. 1268)

Sponsored by Representative GATTINE of Westbrook.

Cosponsored by Senator HASKELL of Cumberland and Representatives: Speaker EVES of North Berwick, HAMANN of South Portland, ROTUNDO of Lewiston, STUCKEY of Portland, Senator: SAVIELLO of Franklin.

Bill "An Act To Amend the Child Protective Services Laws"

(H.P. 842) (L.D. 1224)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Senator DIAMOND of Cumberland and Representatives: COREY of Windham, FARNSWORTH of Portland, FREY of Bangor, HAMANN of South Portland, HARLOW of Portland, O'CONNOR of Berwick, SIROCKI of Scarborough, Senator: BRAKEY of Androscoggin.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative GATTINE of Westbrook, **TABLED** pending **REFERENCE** and later today assigned.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Limit the Use of Ropes and Buoys in Swim Areas in Great Ponds"

(H.P. 843) (L.D. 1225)

Sponsored by Representative SHAW of Standish.

Cosponsored by Senator DAVIS of Piscataquis and Representatives: ALLEY of Beals, CRAFTS of Lisbon, MARTIN of Sinclair, REED of Carmel, SHORT of Pittsfield, WOOD of Greene, Senators: CYRWAY of Kennebec, DUTREMBLE of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Establish a Comprehensive Hunting License"

(H.P. 844) (L.D. 1226)

Sponsored by Representative SHAW of Standish.

Cosponsored by Representatives: CRAFTS of Lisbon, REED of Carmel, TIMBERLAKE of Turner.

Bill "An Act To Correct Defects in Title Created by Improperly Discharged Mortgages"

(H.P. 861) (L.D. 1261)

Sponsored by Representative FREDETTE of Newport.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

The Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

JUDICIARY

Bill "An Act To Increase Consumer Protections"

(H.P. 859) (L.D. 1259)

Sponsored by Representative MOONEN of Portland.

Resolve, Requiring the Judicial Department To Study Court Facility Needs in Oxford, Waldo and York Counties

(H.P. 860) (L.D. 1260)

Sponsored by Representative HOBBS of Saco.

Cosponsored by President THIBODEAU of Waldo and Representatives: CHENETTE of Saco, Speaker EVES of North Berwick, GINZLER of Bridgton, HERRICK of Paris, WINSOR of Norway, Senators: HAMPER of Oxford, VALENTINO of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

MARINE RESOURCES

Bill "An Act To Provide for Improved Reporting of Marine Resources Landings"

(H.P. 845) (L.D. 1227)

Sponsored by Representative KRUGER of Thomaston.

Cosponsored by Senator BAKER of Sagadahoc and Representative: SAWICKI of Auburn, Senator: MIRAMANT of Knox.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act To Authorize Tribal-state Memoranda in the Eel and Elver Fisheries"

(H.P. 862) (L.D. 1262)

Sponsored by Representative DANA of the Passamaquoddy Tribe.

Cosponsored by Representatives: BEAR of the Houlton Band of Maliseet Indians, MITCHELL of the Penobscot Nation.

Committee on **MARINE RESOURCES** suggested.

On motion of Representative KUMIEGA of Deer Isle, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Allow the Governor To Review Routine Technical Rules"

(H.P. 870) (L.D. 1274)

Sponsored by Representative SIROCKI of Scarborough.

TAXATION

Bill "An Act To Restore Some Progressivity and Fairness to the State Income Tax"

(H.P. 869) (L.D. 1269)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Senator HASKELL of Cumberland and Representatives: GATTINE of Westbrook, GOODE of Bangor, HAMANN of South Portland, MOONEN of Portland, TIPPING-SPITZ of Orono.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Amend the Ballot Initiative Process To Ensure Support in Maine's Congressional Districts"

(H.P. 846) (L.D. 1228)

Sponsored by Representative SHORT of Pittsfield.

Cosponsored by Senator DUTREMBLE of York and Representatives: ALLEY of Beals, CRAFTS of Lisbon, DUCHESNE of Hudson, HILLIARD of Belgrade, LYFORD of Eddington, MARTIN of Sinclair, REED of Carmel, SHAW of Standish.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Rule

Representative FOWLE for the **Joint Standing Committee on Criminal Justice and Public Safety** on Bill "An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child"

(H.P. 871) (L.D. 1275)

Reporting **Ought to Pass** pursuant to Joint Rule 353.

Report was **READ** and **ACCEPTED**. The Bill **READ ONCE** and **TOMORROW ASSIGNED FOR SECOND READING**.

Refer to the Committee on Insurance and Financial Services Pursuant to Joint Order

Representative BECK for the **Joint Standing Committee on Insurance and Financial Services** on Bill "An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization" (EMERGENCY)

(H.P. 864) (L.D. 1264)

Reporting that it be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** pursuant to Joint Order 2015, H.P. 585.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**. Sent for concurrence.

Refer to the Committee on Insurance and Financial Services Pursuant to Joint Order

Representative BECK for the **Joint Standing Committee on Insurance and Financial Services** on Bill "An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee" (EMERGENCY)

(H.P. 865) (L.D. 1265)

Reporting that it be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** pursuant to Joint Order 2013, H.P. 1136.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**. Sent for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 113) (L.D. 298) Bill "An Act To Require Political Action Committees To Report the Receipt of Paid Services Received from State Agencies" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

(H.P. 266) (L.D. 400) Bill "An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 7) (L.D. 4) Bill "An Act To Promote Industrial Hemp" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-41)**

(H.P. 21) (L.D. 22) Bill "An Act To Require Removal of Mooring Equipment" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-34)**

(H.P. 87) (L.D. 129) Bill "An Act To Provide Options to Schools for Making Up School Days" Committee on

EDUCATION AND CULTURAL AFFAIRS reporting **Ought to Pass as Amended by Committee Amendment "A" (H-37)**

(H.P. 89) (L.D. 131) Bill "An Act To Amend the Laws Related to Public Funding of Charter Schools" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-38)**

(H.P. 101) (L.D. 143) Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-42)**

(H.P. 154) (L.D. 222) Bill "An Act To Reduce Commercial Shellfish License Fees for Persons under 18 Years of Age" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-33)**

(H.P. 202) (L.D. 284) Bill "An Act To Amend the Law Concerning Overwidth Farm Tractors on Public Ways" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-31)**

(H.P. 278) (L.D. 412) Bill "An Act Regarding Telephonic Political Communications and Push Polling" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-32)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

(H.P. 230) (L.D. 336) Bill "An Act To Combine Outstanding Student Loan Debt with a Home Mortgage" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-30)**

On motion of Representative FREDETTE of Newport, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-30)** was **READ** by the Clerk.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-30)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

Representative McCABE of Skowhegan **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Goode.

Representative **GOODE**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **GOODE**: Thank you, Mr. Speaker, I was just wondering if there were committee members in the body right now might be able to explain what this bill does. And it seems like the title might be misleading, so I thought it might be helpful for us to know from a committee member, since I think it was a unanimous report, what the bill is and what we're exactly voting on right now.

The SPEAKER: The Representative from Bangor, Representative Goode, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Waterville, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House, the title is indeed misleading. What is before you, a pending unanimous report from the Committee on Insurance and Financial Services, is a study order to examine the issue of the effect of student loan debt on the home buying market.

Ask any realtor or lender and they will tell you that there is an emerging generation and emerging problem in Maine, with inability of people of all ages, but especially young families with student loan debt to secure mortgages to buy homes. We all agree that buying homes is good for the economy, good for our communities, and what the sponsor of the bill and all the committee members of IFS decided on was asking those interested parties—realtors, lenders, higher education—to examine this issue and provide useful information for us to take some action in the future.

Again, the title is misleading, I'd urge this entire body to support the unanimous bill on this important issue.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **CAMPBELL**: Yes, if anyone could answer how is this going to affect the debt to equity on behalf of the banks?

The SPEAKER: The Representative from Orrington, Representative Campbell, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Waterville, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker. Again, the title is misleading. What the bill before you does not propose to do, the text of the bill, the text of the unanimous committee report, is not to allow for a combination loan. It is a perennial study bill, but it's worth studying; it's an important issue, important to realtors, important to our lenders, important to the state, and again I urge the body to support this unanimous report.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-30). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 17

YEA - Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Bickford, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Picchiotti, Pierce T, Pouliot, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Sherman, Short, Stanley, Tepler, Tipping-Spitz, Tucker, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, O'Connor, Parry, Pickett,

Pierce J, Prescott, Reed, Sanderson, Sawicki, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, White, Wood.

ABSENT - Alley, Devin, Gideon, Harlow, Hobbins, Nutting, Stuckey, Sukeforth, Winsor.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly **Committee Amendment "A" (H-30)** was **ADOPTED**.

The Bill was assigned for **SECOND READING** Thursday, April 9, 2015.

CONSENT CALENDAR

Second Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 143) (L.D. 375) Bill "An Act To Create a Blue Alert Program in Maine"

(S.P. 171) (L.D. 442) Bill "An Act To Clarify Municipal Capacity for Site Location of Development and Encourage Local Development"

(S.P. 217) (L.D. 624) Bill "An Act To Make a Technical Correction to the Law Establishing the State Trauma Prevention and Control Advisory Committee within the Field of Public Safety"

(H.P. 354) (L.D. 515) Bill "An Act To Amend the Law Regarding Commercial Learner's Permits" (EMERGENCY)

(H.P. 35) (L.D. 37) Bill "An Act Regarding Emergency Lights on a Vehicle Used by a Member of a Municipal or Volunteer Fire or Emergency Medical Services Department" (C. "A" H-29)

(H.P. 217) (L.D. 323) Bill "An Act To Provide Funding to the Department of Transportation To Complete the Assessment for the Completion of the State-owned St. Lawrence and Atlantic Railroad Line" (C. "A" H-28)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, April 2, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Create a Civil Cause of Action for Intentional Interference with Business Operations"

(S.P. 427) (L.D. 1200)

- In Senate, **REFERRED** to the Committee on **JUDICIARY**.

TABLED - April 2, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - REFERENCE IN CONCURRENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-39)** on Bill "An Act To Require Proper Notification of Life Insurance Cancellation"

(H.P. 152) (L.D. 220)

Signed:

Senators:

WHITEMORE of Somerset

BAKER of Sagadahoc

GRATWICK of Penobscot

Representatives:

COOPER of Yarmouth

FOLEY of Wells

MELARAGNO of Auburn

MORRISON of South Portland

PICCHIOTTI of Fairfield

PRESCOTT of Waterboro

TUCKER of Brunswick

WALLACE of Dexter

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-40)** on same Bill.

Signed:

Representatives:

BECK of Waterville

BROOKS of Lewiston

READ.

Representative BECK of Waterville moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House, what is before you is a Majority Report of the committee. Eleven members, I'm actually not on this report, but I, given the importance of the issue, I'm moving this report.

This committee amendment creates what's called third party notification in the cancellation of our state employee life insurance plan. The bill was proposed by the Representative from Augusta, Representative Doore, after the story of Jennifer and Scott Neumeyer. Mr. Neumeyer was a longtime employee of the State of Maine, and before his 40th birthday, and a few weeks before Christmas he succumbed to illness. But, just prior to his passing, his life insurance policy with MainePERS had been cancelled for nonpayment of some amount less than 10 dollars, and as a result his widow, Jennifer, would not receive the benefit of his life insurance plan.

So what the committee did was create third party notification, a insured may designate a third party to receive notices. The Neumeyer's argue that notice of cancellation was never received, and they certainly would've made nonpayment given what was going on. And so, this is an important bill and I hope, in this matter, the full House supports the work of the committee on this Majority Ought to Pass as Amended Report.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-39)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Thursday, April 9, 2015.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Create a Public State Bank"

(H.P. 23) (L.D. 24)

Signed:

Senators:

WHITTEMORE of Somerset

BAKER of Sagadahoc

GRATWICK of Penobscot

Representatives:

BECK of Waterville

COOPER of Yarmouth

FOLEY of Wells

MELARAGNO of Auburn

MORRISON of South Portland

PICCHIOTTI of Fairfield

PRESCOTT of Waterboro

TUCKER of Brunswick

WALLACE of Dexter

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-35)** on same Bill.

Signed:

Representative:

BROOKS of Lewiston

READ.

Representative BECK of Waterville moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, yes, I am standing up on another one person report. I have been introducing this bill for years because I believe that our economy needs some big ideas. And this is one of those big ideas that I think will lay down the future so that we can actually stabilize our economy for generations to come.

This is not a silver bullet solution and it is not an overnight solution, but it is a solution that has worked, not just in North Dakota, but in several countries around the world. In 2008, we watched our entire economy collapse due largely to malfeasance on Wall Street. One of the only places, the only state in the country that did not see its economy collapse, did not experience a recession, was North Dakota.

North Dakota is not exactly known as the progressive bastion of society by any stretch of the imagination, quite the contrary; it's one of the most conservative states in the union. But they have what is known as a "public state bank." They've had it since 1918. They introduced that way back when because farmers were losing their farms to foreclosure. Much like we're experiencing across the country today. Their economy stabilized because of a state bank.

There are a lot of folks who will say there's a whole host of reasons, including the fact that they have natural resources as the fundamental reason why they did not experience a recession. However, all the states in the immediate region also had natural resources. Those economies experienced a recession.

There are also several countries that did not experience a recession during 2008 and 2009. They're the BRIC countries—Brazil, Russia, India, and China. The thing about the BRIC

countries is that their entire banking system is public banking. It is no coincidence that of all the economies in the world, the only ones that did not experience a recession, the only economies that remained stable were built on a public banking.

We have an opportunity to start a discussion about how to move that forward, how to bring that success and model it for here in the State of Maine. We spend a lot of time talking about how to create jobs, how to create and stabilize our economy so that we do not go through booms and busts and booms and busts. And yet, every time we have an opportunity to look at big picture issues, we always say we just don't have the time to look at it because we're always rushed by the process here.

A state public bank would provide us an opportunity to leverage our own treasury, our taxpayer dollars, and channel those resources here at home instead of storing them, as we currently do the vast majority, storing them on Wall Street.

This is a Main Street bill at its heart. It is a bill designed to ensure that we have a stable economy, that we can invest in that economy and grow it for future generations. As I said, it is not a silver bullet, it is not a final solution, but I do believe that if we were smart, we would start the road and start down that path to doing this.

Folks have run on this issue in the past, and this issue has created significant support from constituents. I hear from folks on all sides of the political spectrum around this particular public state bank. There's a lot of support for it in the grassroots, but unfortunately, it continues to stall. I'm not going to ask for a roll call, though I'm sure my good friend across the aisle might consider it, but I do think that it's worthy of putting on the record the importance of new ideas and big ideas, and they don't always have to come from the left side of the aisle or the right side of the aisle, and this is a classic example of a conservative policy that is really working for the people of North Dakota, and I think it's something that's worth bringing here so that we can make sure that we never have to go through a recession like we've had in the past ever again. Thank you, Mr. Speaker.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect Private Property and Livestock from Fireworks"

(H.P. 107) (L.D. 149)

Signed:

Senators:

ROSEN of Hancock

BURNS of Washington

GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro

CHENETTE of Saco

DAVITT of Hampden

GERRISH of Lebanon

LONG of Sherman

THERIAULT of China

TIMMONS of Cumberland

WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

LAJOIE of Lewiston

NADEAU of Winslow

READ.

Representative FOWLE of Vassalboro moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Lajoie.

Representative **LAJOIE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, as you can see there's two that opposed, or voted Ought to Pass, I'm one of them, and the reason I did is, I think because in the last few years, we've found that certain areas within the municipality, with regard as to ordinances, do not seem to work.

Some of those, and the reasons behind it is that, we'll take consumer fireworks for instance, and with the animals which is one of the biggest complaints that we've had, is they scare the animals, and especially when, we'll say neighbors, did not advise the individuals that had those animals that they're going to set something off. With that said, I know that local ordinances have been established, however again on smaller communities where they depend on the sheriff or state police to respond, to find that out they will not respond if they do not have a contract with those entities.

And therefore, I felt that having a state law that required individuals that would set off fireworks, consumer fireworks, within a certain distance of farm property, especially where they have horses and animals and stuff like that, would be appropriate. And therefore, if there was a situation that couldn't be worked out and prosecution was the way to go, you'd have a state law that you would follow and be able to prosecute on that basis.

So, on that basis, I think something should be done. I don't believe to leave it to local control because it becomes patch work regulations, and those don't work. And that's my reasoning that I voted in opposition to this bill, Ought Not to Pass, and my thought is Ought to Pass as stated. Thank you.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives"

(H.P. 135) (L.D. 177)

Signed:

Senators:

ROSEN of Hancock

BURNS of Washington

GERZOSKY of Cumberland

Representatives:

FOWLE of Vassalboro

CHENETTE of Saco

DAVITT of Hampden

GERRISH of Lebanon

LAJOIE of Lewiston

LONG of Sherman

THERIAULT of China

TIMMONS of Cumberland

WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

NADEAU of Winslow

READ.

On motion of Representative FOWLE of Vassalboro, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Acquire the Frances Perkins Homestead"

(S.P. 439) (L.D. 1234)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Make the Law Regarding Critical Incident Stress Management Teams More Beneficial and Effective"

(S.P. 448) (L.D. 1243)

Bill "An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and Other Drugs"

(S.P. 451) (L.D. 1246)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Resolve, To Create a Pilot Program To Conduct Screenings for Scotopic Sensitivity Syndrome

(S.P. 434) (L.D. 1229)

Bill "An Act To Create a Digital Portal for Education" (EMERGENCY)

(S.P. 435) (L.D. 1230)

Bill "An Act To Strengthen Standards-based Diplomas" (EMERGENCY)

(S.P. 440) (L.D. 1235)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Create the Southwest Harbor Water and Sewer District"

(S.P. 436) (L.D. 1231)

Bill "An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities"

(S.P. 450) (L.D. 1245)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Amend Environmental Permitting Standards"
(S.P. 449) (L.D. 1244)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism"
(S.P. 441) (L.D. 1236)

Bill "An Act Regarding the Filing of Death and Marriage Records"
(S.P. 442) (L.D. 1237)

Bill "An Act To Allow the Release of Child Protective Records to Certain Providers of Child and Adult Services"
(S.P. 443) (L.D. 1238)

Bill "An Act Regarding Patient-directed Care at the End of Life"
(S.P. 452) (L.D. 1270)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding the Bag Limit on Smelts
(S.P. 437) (L.D. 1232)

Bill "An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes" (EMERGENCY)
(S.P. 444) (L.D. 1239)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Protect Maine Consumers from Medical Identity Theft" (EMERGENCY)
(S.P. 447) (L.D. 1242)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Increase Government Efficiency"
(S.P. 446) (L.D. 1241)

Bill "An Act To Strengthen the Protections for Senior Citizens in the State" (EMERGENCY)
(S.P. 454) (L.D. 1272)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Phase Out the Payment of Subminimum Wages to Workers with Disabilities"
(S.P. 445) (L.D. 1240)

Bill "An Act To Protect Patients Who Need Eye Care"
(S.P. 453) (L.D. 1271)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Improve Enforcement of Maine's Marine Resources Laws"
(S.P. 438) (L.D. 1233)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Resolve, To Create a License Plate To Recognize the Bicentennial of the State
(S.P. 455) (L.D. 1273)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative DOORE of Augusta, the House adjourned at 11:22 a.m., until 10:00 a.m., Thursday, April 9, 2015.